

Commercial Practices Working Group Report

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Information Sought from Contractors and Commercial Organizations

Commercial practices

-  e.g., types of contracts used, how awarded, pricing, terms and conditions, and corporate policies on use

Obstacles to competition

Variances from commercial practices when selling commercial items to the government

-  e.g., pricing, government market segmentation, and contract terms & conditions
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Information Sought from Selected Government Buying Agencies

- ✍ Data on 50 “best value” solicitations values over \$100,000
 - ✍ Evaluation factors, responsibility determinations and time elapsed from requirement to solicitation
 - ✍ Overall workload and staffing for contracting
 - ✍ Determinations of price reasonableness
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Information Sought from both Government and Industry

- ✍ Obstacles to using commercial practices
 - ✍ Impediments to full and open competition
 - ✍ Recommendations for improving the acquisition of commercial goods and services
 - ✍ Training of employees
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Other Issues

- ✍ Does the definition of “commercial item” at FAR 2.101 needs to be clarified
 - ✍ Modifications of commercial items
 - ✍ Customarily used by the general public or by non-governmental entities
 - ✍ Determination of commercial items under a subcontract
 - ✍ Application of section 1443 of the FY2004 National Defense Authorization Act
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Action Items

- ✍ Complete review existing statutes and regulations addressing commercial items
 - ✍ Obtain information from selected government buying activities
 - ✍ Obtain information from government contractors and commercial services
 - ✍ On both commercial services and items
 - ✍ Input from multiple industries
 - ✍ Compile working group recommendations
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